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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MARCUS ASAY,

Defendant.

CASE NO. 1:22-CR-162-ADA-BAM

STIPULATION AND ORDER TO CONTINUE
STATUS CONFERENCE

BACKGROUND

This matter is currently scheduled for a status conference on **April 26, 2023**. Doc. 12. On April 11, 2023, the Court directed the parties to file a joint status report; or in the alternative, to file a stipulation to continue the status conference. *Id.* The parties have agreed that further time is necessary for defense investigation, review of discovery, trial preparation, and potential plea negotiations. The parties have therefore agreed to stipulate to a continuance of the status conference.

STIPULATION AND [PROPOSED] ORDER

IT IS HEREBY STIPULATED by and between the parties hereto, and through their respective attorneys, that the status conference currently set for April 26, 2023 be continued to November 8, 2023. Time shall be excluded from April 26, 2023 to November 8, 2023 under the Speedy Trial Act for defense

preparation and continuity of counsel. The Court finds that the ends of justice outweigh the interest of the defendant and the public in a speedy trial.

Respectfully submitted,

PHILLIP A. TALBERT
United States Attorney

DATED: April 14, 2023

By: /s/ Michael G. Tierney
Michael G. Tierney
Assistant United States Attorney

DATED: April 14, 2023

By: /s/ Anthony P. Capozzi
Anthony P. Capozzi
Attorney for Marcus Asay

ORDER

The status conference currently set for April 26, 2023, is hereby continued to **November 8, 2023, at 1:00 p.m. before Magistrate Judge Barbara A. McAuliffe**. Time shall be excluded from April 26, 2023, to November 8, 2023, under the Speedy Trial Act for defense preparation and continuity of counsel. The Court finds that the ends of justice outweigh the interest of the defendant and the public in a speedy trial.

IT IS SO ORDERED.

Dated: April 14, 2023

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE